

Community Preservation Committee
Minutes
August 4, 2015

Present: Chairperson Helen Dunlap, Mark Pease, Don Plummer, John Hassan, George Malonis, Louise Tremblay, Harvey Gagnon, Linda Kawa and Recording Secretary, Marylee Enos. The meeting was held at the Town Hall, 62 Arlington St, Dracut, MA.

Absent: Debra DeWitt

Chairperson Helen Dunlap called the meeting to order 7:03p.m.

Minutes:

John Hassan made a motion to approve the June 30, 2015 meeting minutes, Harvey Gagnon seconded the motion. The motion passed.

Open Space:

Yapp Farm- 650 Marsh Hill Rd:

Chairperson Helen Dunlap welcomed and introduced Ginny McGee, who is Pat Dawson's sister, and one of the three owners of the property. Ginny thanked the committee for all their work on this.

Helen explained that Glen Edwards has the new appraisal on this property. She reminded the committee that the original plan was to have the appraisal done without the Agricultural value. Then at the CPC's last meeting, after meeting with Pat Dawson, the board voted to have the full appraisal done. The kind that is done with APR properties, that separates out the Agricultural value from the value of the rest of the property.

In discussing this with Pat Dawson and deciding at the last CPC meeting, along with funding this extra money for the Agricultural value, the board decided that this could not get done by the November Town Meeting, what with bringing in the Agricultural value and deciding if the CPC were to buy the whole land, or just the development rights, and then have a farmer buy the agricultural value.

Also how the committee is going to deal with the agricultural value, whether to have the family retain the farming rights, and the complications with would all take time to work out.

Helen explained that Pat Dawson made it very clear if this does not get done by the November Town Meeting, her family would be very upset, to say the least. Helen explained because of the necessity of this, we should get this done, and then deal with some of the details later. In discussing this with Glen, Helen explained that they jointly decided to check with the appraiser and if he did not already spend the CPC's extra money on the agricultural value appraisal, then we would just cancel it.

Helen explained to the committee, that she worried over this in making that decision, realizing that the board already voted to get the agricultural value at the last meeting and she went ahead, sort of by executive decision, decided not to get it; only because it was important, even though it

was a bit out of the ordinary. Helen explained to the board, if it is something she shouldn't have done, then we can discuss that. Nevertheless Helen explained we have the appraisal without the Agricultural value.

The second thing is, as Helen explained, in making up the agenda, she made it clear to have the appraisal discussion on the agenda, but failed to add executive session if needed.

One of two things can get done, we can open the appraisal and it would be public knowledge or we can wait and have a special executive session meeting to go over it.

Helen asked the board for their thought on this. George Malonis, stated he needs to recuse himself from these deliberations because he has represented the Yapp Family in prior and recent proceedings.

Discussion: John Hassan explained that at this point we don't know the figure and the family does not know the figure, then making it public is not going to help either person. Delaying it a couple of weeks and firming it up in September, then we still have a couple of weeks before the warrant articles are due. Helen stated that we were not planning on having another meeting until September, we might want to have a special meeting before September.

Assistant Manager, Glen Edwards explained, just for knowledge, we usually always go with the appraised value. It doesn't mean we have to offer the appraised value that is the maximum amount.

Linda Kawa asked if it is important to us if we meet in two weeks, is it going to buy us extra time. Helen stated no. Linda asked is this going to hurt us, if this gets out.

Don Plummer stated this is a number that is going to come out anyway.

Assistant Town Manager explained he has the PDF for anyone who would like to go over the appraisal. He can't let anyone see it until the appraisal is voted to be released.

Mark Pease stated we need to get this deal done as soon as possible.

John Hassan made a motion to meet in Executive Session to consider the appraised amount, Louise Tremblay seconded the motion. The motion passed.

Helen asked the board if Monday, the 10th of August would be a good date for the Executive Session. The board agreed.

Helen explained that Ginny McGee and Pat Dawson are here at the meeting to help make decisions on how we are going to handle this property, if we come to an agreement with the price. Helen explained at this point we don't have an agricultural value, we would just be purchasing the land with the open space funds. This is where it is open to forum, how we are going to handle this and formulate the article.

Helen explained that there is a 10 acre parcel that is within the land that we are preserving. Pat Dawson stated yes, it's about 10 acres. Dana Taplin was also present at the meeting, Dana does

the haying on the property. Dana explained that there are about 2 and a half acres that are Pat's, and 7 and a half that goes with this parcel. Helen stated that this was not brought up at the last meeting. There is a property line there. If two different people do the haying they would have to stop at this line.

Helen explained the easiest thing to do would be to have the Town purchase the property, and have the Town rent out that land to a farmer and that would have to go through the process of having the Town choose such a person. Helen stated she didn't think Dana would have too much competition, on that little parcel of land. Dana stated he has had the benefit of working with the family, but you never know when it goes out to bid.

Louise Tremblay stated that we do not know who would bid on it.

Pat Dawson asked does an amendment tie up a deed, George Malonis stated yes, and it's a restriction on the use. Pat explained that some of the field is her own, and some are her sister and brother's. It just doesn't make any sense to have two different farmers, hay two different lots. George Malonis explained that it might work on a short term basis, until everything is figured out, as long as it is explained at Town Meeting. Helen also stated that she was investigating the possibility of having the Agricultural Commission be in charge of such rentals of town-owned farmland. Linda Kawa stated you want it to be a good sell at Town Meeting, so have everything figured out by then.

Helen stated to Pat Dawson and her sister, Ginny McGee she will contact them after the CPC meets at the Executive Session meeting. The two woman thanked the board.

Arlene Murphy Property: Wheeler St:

Chairperson Helen Dunlap explained that Arlene Murphy's property on Wheeler St is now off the list of possibilities. It is under agreement.

761 Mammoth Rd:

Chairperson Helen Dunlap updated the board after sending the Town Manager and Ann Vandal and Town Council a letter, stating that no funds can be spent without a vote of approval by this committee. Helen's main concern was that not happen again after the last Town Meeting when a higher figure was spent, than the original number CPC approved for 761 Richardson Rd.

Ann Vandal's response to Helen was, it's very simple at a future Town Meeting, once everything is ironed out and there is money left in the authorization, we simply rescind the amount that will not be used. Helen stated that doesn't really correct the issue, it really just takes care of the funds. Helen stated she still feels that somehow the money that was allocated to that project should be brought down to the amount we voted on. Town Council was silent, this is what Ann Vandal said.

Mark Pease stated that the eight of us sat down at a meeting, with the Town Manager and hammered all the figures out for Town Meeting. It was very clear what number was voted on.

George Malonis stated he agrees with Mark.

Glen Edwards explained that the closing for the property is tomorrow.

52A Avis Ave:

No Update:

Historical:

No new update

Affordable Housing:

Debra DeWitt was absent but did inform Helen that the board hired the Women's Institute as their consultant for the Greenmont Ave, Bridge St project.

New Business:

Don Plummer presented a spread sheet, he made for the board that shows monies coming in and out for the upcoming year. This is just a model, with soft numbers. Don gave the secretary the spreadsheet and she will email everyone tomorrow with a copy.

Other New Business:

Linda Wright the Towns accountant, asked the board to sign off for the funds for the Open Space for the Kayak launch and Intervale Playground, they can't do a launch, and it's a legal expense. John Hassan made a motion to send back the money for those two projects. Louise Tremblay seconded the motion. The motion passed unanimously.

Chairperson Helen Dunlap stated she was concerned with Todd Feather's article in the Lowell Sun on 61 A Land. Helen stated that the article stated that people are claiming that they are farming more than they actually are. George Malonis stated to Helen if he calls you, don't answer any questions. There is no upside, they can turn things around.

Old Business:

There was a FYI letting the board know that there had been some mistakes with the CPA signs that were made. John Hassan explained that it was just a few, they are being fixed.

Next Meeting:

September 1, 2015

George Malonis made a motion to adjourn the meeting at 8:35 pm; Linda Kawa seconded the motion, the motion passed unanimously.

COMMUNITY PRESERVATION COMMITTEE















